

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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United States of America,

ORDER

-against-

7:14-CR-476-9 (CS)
7:19-CV-8600 (CS)

Christopher Grebinger,
Defendant.

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Seibel, J.

The Court has received and reviewed the parties' submissions regarding the effect of the Supreme Court's decision in United States v. Davis, 139 S. Ct. 2319 (2019), on Defendant Christopher Grebinger's conviction on Count Two of Indictment S1 14-CR-476, which charged Mr. Grebinger under 18 U.S.C. § 924(c)(1)(A)(i) with using, carrying and possessing firearms during and in relation to a crime of violence -- specifically, the racketeering conspiracy charged in Count One. The Court agrees with the parties that vacatur of Defendant's § 924(c) conviction is appropriate, and therefore grants Defendant's motion to vacate that conviction pursuant to 28 U.S.C. § 2255 (Doc. 398 in No. 14-CR-476 and Doc. 1 in No. 19-CV-8600). Defendant's conviction on Count Two of Indictment S1 14-CR-476 is hereby vacated. The Court has resented Mr. Grebinger on Count One and entered an Amended Judgment. This Order resolves Doc. 398 in No. 14-CR-476 and Doc. 1 in No. 19-CV-8600. The Clerk of Court is respectfully directed to close case No. 19-CV-8600.

SO ORDERED.

Dated: 3/4/20

White Plains, New York



Cathy Seibel, U.S.D.J.